

Notice of Allowability

Application No.

10/812,225

Examiner

Timothy M. Ayres

Applicant(s)

KISH ET AL.

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3637

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed 7/06/07.
2. ☒ The allowed claim(s) is/are 1-8, 10, and 20-25.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with James Scarbrough on 8/29/07.

The application has been amended as follows:

Claim 1, line 1-2, the phrase "for attachment to a side wall of" is deleted and replaced with ---in combination with---

Claim 1, line 17, the phrase "wherein the" is changed to ---wherein each second portion of the---

Claim 1, line 17, the word "engage" is deleted and replaced with ---directly attaches to---

Claim 1, line 17, the phrase "a cabinet" is changed to ---the cabinet---

Claim 1, line 18, the word "spacing" is deleted and replaced with ---gap---

Claim 1, line 18, after the phrase "side wall" ---defined by the distance that each first portion of the first and second tabs extends from the first wall--- is inserted therein

Claim 1, line 19, the phrase "an end of the cabinet runner side wall extension," is deleted and replaced with ---to the first end of the first wall,---

Claim 20, line 1-2, the phrase "for attachment to a side wall of" is deleted and replaced with ---in combination with---

Claim 20, line 17-18, the phrase "a second tab extending outwardly from the first wall in a second direction which is opposite the first direction," is deleted and replaced with ---a second tab adjacent to the first tab including a first portion extending away from the second side of the first wall and a second portion extending from the first portion in a second direction which is opposite the first direction and spaced from and substantially parallel to the first wall,---

Claim 20, line 19, the phrase "wherein the" is changed to ---wherein each second portion of the---

Claim 20, line 19, the word "engage" is deleted and replaced with ---directly attaches to---

Claim 20, line 19, the phrase "a cabinet" is changed to ---the cabinet---

Claim 20, line 20, the word "spacing" is deleted and replaced with ---gap---

Claim 20, line 20, after the phrase "side wall" ---defined by the distance that each first portion of the first and second tabs extends from the first wall--- is inserted therein

Claim 21, line 2, the phrase ", the second tab and the third tab each" is deleted

Claim 21, line 3, the phrase "each second and" is deleted and replaced with ---the---

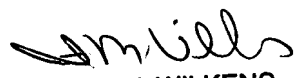
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Timothy M. Ayres whose telephone number is (571) 272-8299. The examiner can normally be reached on MON-THU 8:00 - 5:00.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lanna Mai can be reached on (571) 272-6867. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

TMA
8/30/07



JANET M. WILKENS
PRIMARY EXAMINER
Art 3637